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8	UNITED STATES DISTRICT COURT			
9	WESTERN DISTRICT OF WASHINGTON AT TACOMA			
10	CARL W. CUNNINGHAM			
11	Petitioners,		Case No. C05-5839RBL	
12		V.		
13	ALICE PAYNE,			
14	Respondent.		ORDER ADOPTING REPORT AND RECOMMENDATION	
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16				
17	The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold			
18	United States Magistrate Judge, objections to the Report and Recommendation, if any, and the			
19	remaining record, does hereby find and Order:			
20	(1) The Court adopts the Report and Recommendation;			
21	(2) The petition is DISMISSED WITH PREJUDICE as time barred.			
22	(3)	The clerk is directed to send copie and to the Hon. J. Kelley Arnold.	es of this Order to Petitioner, counsel for respondent	
2324	DATED 11 of h 1 car a cocc			
25	DATED this 5 th day of July, 2006.			
26	DOTE COLL			
27	RONALD B. LEIGHTON UNITED STATES DISTRICT JUDGE			
28	UNITED STATES DISTRICT JUDGE			
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